

REMARKS

Claims 3, 5-6 and 11-12 are pending in the application. Claims 1, 2 and 4 are canceled. Claims 3, 5 and 6 are amended herein. Claims 7-10 have been withdrawn from consideration in response to the restriction requirement of the Office action dated March 30, 2005. Claim 11 is new and supported by the specification at least in paragraph [0044]. Claim 12 is also new and supported by the specification at least in paragraphs [0014], [0016], [0017], [0045] and [0048].

The amendment to claim 3 incorporates an inadvertently omitted word and further provides proper antecedent basis for the term "flexure" as supported by the specification at least in paragraphs [0016] and [0041]. Claim 5 and claim 6 are amended to depend from claim 3 and claim 12, respectively. Also, claim 6 is amended to incorporate elements disclosed in the specification at least in paragraph [0046] and in Figs. 5A and 5B. No new matter has been added.

Rejections Under 35 USC § 102

The Examiner asserted that claims 1-6 are anticipated by Horie et al. (2003/0161073; "Horie") under 35 U.S.C. 102(e). In view of the amendments to the claims and the arguments below, Applicants respectfully disagree.

Claims 1, 2 and 4 are canceled herein. Amended claim 3 recites a magnetic head assembly comprising a flexure, "wherein the flexure comprises a junction piece protruded from an edge of the flexure for joining the load beam and a main flexure having a cleavage part that is cleaved upon exertion of an external force pulling the main flexure in a leading end direction in a state that the junction piece is left joined to the load beam." (Emphasis added.) Horie does not disclose a main flexure having a cleavage part that is cleaved, or a junction piece left joined to the load beam.

The structure in Horie that the Examiner alleged anticipates the "main flexure having a cleavage part" is not in fact a main flexure; it is a load beam. As illustrated in Figs. 1, 2, and 4 of the present application, and as further supported in the specification at least in paragraphs [0012], [0016] and [0041], it is the main flexure (21), not the load

beam (31), that has the cleavage part (25b) required by the claim. Paragraph [0016] recites “removing the main flexure from the load beam by cleaving the main flexure at a cleavage part...the main flexure is removed so as to leave the junction piece” and paragraph [0041] teaches that “the junction piece 25 is decoupled at the cleavage position 25b, so that only the main flexure 21 is removed from the load beam 31 leaving the junction piece 25.” Applicants point out that the Examiner has not identified a “junction piece left joined to the load beam,” as required by the claim. Indeed, nowhere in Horie are a “main flexure having a cleavage part that is cleaved” and a “junction piece left joined to the load beam” disclosed.

Since the cited reference does not teach each and every element of claim 3, it cannot anticipate the claim or any claims dependent therefrom. Applicants therefore request the withdrawal of the rejection under 35 U.S.C. § 102(e).

New Claims

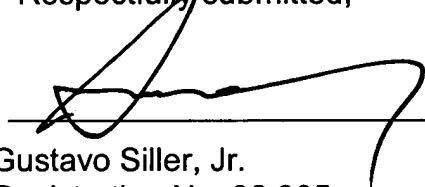
New claim 11 recites a magnetic head assembly according to Claim 3, wherein the cleavage part is one of a perforation, a kerf, and a constriction. Horie does not disclose a cleavage part of a main flexure satisfying these requirements, and therefore Applicants submit that this claim is patentable over Horie.

New claim 12 recites a magnetic head assembly comprising a sub-flexure joined to the load beam at a position different from the junction piece of the main flexure after the main flexure has been cleaved, leaving the junction piece. Horie does not disclose a sub-flexure satisfying the limitations of new claim 12, and therefore Applicants submit that this claim is patentable over Horie.

Summary

Applicants respectfully submit that pending claims 3, 5-6 and 11-12 are in condition for allowance, in view of the remarks above and the amendments to the claims. The Examiner is respectfully requested to contact the undersigned in the event that a telephone interview would expedite consideration of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gustavo Siller, Jr.', is written over a horizontal line.

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